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Contract Oversight
in a Contingency Environment
We Bought It, You Own It

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During my latest deployment in Afghanistan, I led a Joint office consisting of Air Force, Army and Navy personnel (active duty, reservists, Defense Department civilians, and contractors) as NATO Training Mission-Afghanistan/Combined Security Transition Command-Afghanistan's (NTM-A/CSTC-A)) Contract Management Oversight (CMO) Office.

The office was stood up in April 2010 to rectify multiple Inspector General (IG) and Government Accountability Office (GAO) reports indicating a lack of "hands on oversight" for contracts throughout the Afghanistan Theater. We were charged by senior leadership to ensure that "contract owners" provide effective management

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and oversight of more than 340 service contracts and 1,000 construction contracts with total value in excess of $5 billion (FY 2011 data). Basically, our main focus was to ensure others were doing their job in evaluating contractor performance and to provide assistance and guidance when and where necessary. Pretty clear, executable guidance—right?

The Afghan National Security Forces (Afghan National Army, Afghan National Police) rely heavily on contractor support for many equipping/training/sustaining functions such as facility maintenance, construction, combat skills training, life support, and vehicle/weapon procurement and maintenance. While Headquarters NTM-A/CSTC-A provides funding for these efforts through the Afghan Security Forces Fund (ASFF), Regional Command (RCs), Regional Support Commands (RSCs), Headquarters Directorates, and other organizations generate requirements, "own the contract," and are responsible for providing stewardship and oversight of contracts funded with ASFF.

RCs, RSCs, and Headquarter Directorates and any other organizations using ASFF are required to ensure effective contract execution and surveillance by assigning an adequate number of trained contracting officer representatives (CORs) to conduct hands-on audits measuring contractor performance. Again, sounds easy … but in a contingency environment, with personnel rotating in and out on a daily basis, with restricted

NTM-A/CSTC-A contracts can be commonly referred to as "local" or "CONUS." The term "local" applies to contracts awarded by CENTCOM Contracting Command's RCCs operating in Afghanistan. The term CONUS applies to all ASFF contracts awarded in the United States, usually via a Pseudo-Foreign Military Sales case with execution in Afghanistan.

Once a contract was identified, CMO personnel would obtain a copy (harder to do than it sounds), read the contract to find clues as to who was the initiating organization and then associate the contract to a Regional Command, Regional Support Command or Directorate. This led to the development of a database , which became the authoritative source for tracking status and reporting to the three-star NTM-A/CSTC-A commander, and also provided information to numerous watchdog agencies (IG, GAO, Commission for Wartime Contracting, etc.), that are involved in reporting status to Congress.

The database included contract number, dollar amount associated with execution year and options, points of execution, contracting officer and surveillance personnel, and audit dates along with many other data points. This tool and the person who created it were amazing as it would create stoplight charts reflecting number of contracts, audit complete percentages, status of surveillance personnel (i.e., present/departed/departing) and contract status (active/expired/expiring).

In a contingency environment, with personnel rotating in and out on a daily basis, with restricted movement and communication, where dollars flow almost unfettered, and with an enemy that is not concerned about whether monthly audits are completed, execution of what is "pretty clear guidance" becomes increasingly difficult.

movement and communication, where dollars flow almost unfettered, and with an enemy that is not concerned about whether monthly audits are completed, execution of what is "pretty clear guidance" becomes increasingly difficult.

The Contract Management Office (CMO) attacked the difficult problem of tracking new and existing contracts, requiring using organizations to take ownership and stewardship of those contracts, and reporting progress to senior leadership using a three-pronged approach. First, a group of hard-working, smart, and dedicated professionals who preceded me in theater undertook the Herculean task of identifying existing local and Continental U.S. (CONUS) contracts by working with Central Command (CENTCOM) Regional Contracting Centers (RCCs), using organizations throughout Afghanistan and CONUS Contracting Centers stateside. In general,

The database and associated stoplight charts became a tool for holding commanders and directors (contract owners) accountable for contract execution and surveillance. Stoplight charts were displayed at the three-star's staff meetings and commanders/directors were afforded the opportunity to explain status (green=good, red=bad). Lastly, educating an ever-changing cast of leaders and surveillance personnel at the point of execution became our biggest challenge. We spent many hours on the phone and traveling throughout the theater to help commanders and CORs understand the multiple levels of contracting activity within their "battle space."

One of the many challenges we faced was a lack of situational awareness on the part of regional commanders and staff directors. In some cases, these leaders simply didn't know that in taking the lead of an organization, they might

in fact be taking responsibility for cost, schedule, and performance of dozens of multimillion-dollar contracts. This can be frustrating for the leader as this: (a) may come as a surprise; (b) taxes finite manpower resources; and (c) drives reporting requirements that may seem to fall outside the normal chain of command. A case in point: A new Army general officer takes over a Regional Command. He or she is overseeing a Relief in Place/Transfer of Authority (RIP/TOA). His or her priorities are surely focused on managing hundreds of troops by providing transport, shelter, security and basic life

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support, executing the mission, etc. One of our jobs was to ensure these leaders understood for which contracts they were responsible and to help them develop an effective oversight and reporting system.

As part of the reporting process, commanders and directors were required to brief the NTM-A/CSTC-A deputy commander for programs (the position that manages all ASFF for the command) on the execution of each of their contracts. They would have to answer tough questions regarding contract performance, contract effectiveness, and cost effectiveness. Examples of such questions: Is this contract relevant to the mission as it exists today? Is the contractor doing what we've paid him to do? Are we paying the contractor to do the right thing? To what extent is the customer satisfied? Are we getting expected value from the contract relative to cost? Is the contract worth the investment relative to cost? How effective is the contractor at fulfilling his requirements? Do our requirements still exist? How do you measure success?

This in and of itself created a threefold problem for commanders and directors:

• They had to take a hard look and dive deep into contract requirements and contractor performance.
• In most cases, the Deputy Command for Programs does not fall within the operational control or administrative control of the regional commanders/directors.
• In many cases, the commander/director outranked the deputy commander for programs (then a colonel filling a brigadier general position). In all cases, CMO personnel engaged to work through issues, soothe egos, and educate personnel.

Another aspect of training included educating COR personnel. While there are mandatory courses required prior to becoming a COR, this training in and of itself does not prepare someone to function efficiently as a COR. Contracting officers provide contract-specific training, to include how to fill out an audit form and explaining contract requirements, but in reality a "qualified" COR has to have a deep understanding of why a contract is in place, the technical issues associated with its execution, as well as a clear picture of the end state. All this is required while the COR keeps the contractor at arm's length so personal bias does not interfere with effective performance evaluation.

CMO personnel wrote a Standard Operating Procedure implemented throughout the theater outlining roles and responsibilities for both pre-award and post-award contracting phases to help educate senior leadership and surveillance personnel. We also spent a lot of "one-on-one time" talking about how to form a multifunctional requirements development team, how to develop an executable Performance Work Statement and a Quality Assurance Surveillance Plan, and how to effectively organize surveillance personnel to measure performance and effectiveness. This was an ongoing process because, as stated before, personnel were rotating in and out constantly.

Another issue was a lack of experienced personnel to conduct surveillance at the point of contract execution. In many cases, a contractor may be working at hundreds of different locations to fulfill contract requirements. For instance, our language training contract had in excess of 100 points of execution throughout theater. We hired a group of Red River Army Depot personnel, trained them, and assigned them to RCs and RSCs to become full-time CORs. This fact, coupled with bringing on experienced former government contracting officers to help requesting activities generate solid requirements documents, aided both contract execution and performance measurement.

At the end of my tour, I was proud of the hard work we had done and confident that those who followed would continue our work of holding requiring units accountable for effectively managing contractor performance.

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